



Increase Supports for Parents with I/DD

Being a parent is one of the most rewarding challenges in life, and everyone needs a little support in learning how to care for a new-born baby. For parents with intellectual/developmental disabilities (IDD), they may need a little extra support. The Developmental Disabilities Administration already has wrap-around services that are specifically designed to support new parents who have IDD.

Problem:

Pursuant to Title II of the ADA and Section 504, child welfare agencies are required to ensure that parents with disabilities are afforded an equal opportunity to participate in and benefit from all child welfare programs and activities, including those services aimed at helping parents preserve or reunify their families. Babies in our state are often taken away from parents with developmental disabilities by Child Protective Services (CPS). DDA's program to support parents with IDD includes a curriculum to educate the parent-to-be and help them be prepared to bring their baby home, but CPS comes in and takes the baby away before the program is implemented.

It is presumed that because the parent has I/DD, they cannot be a parent. A law passed a few years ago that said CPS has to work with DDA in situations where CPS had removed the child already because DDA can provide appropriate supports, but kids are still being taken from parents with IDD.

Solution:

Disability policy should work to promote the success of clients in a way that the client defines it. Starting families should be celebrated rather than punished. Restructuring supports is the key to ensure that people with disabilities can be parents. We need to have a say in what we can do and how we do it. Parenting, while challenging, can be a rewarding part of life.

Ask:

The U.S. Department of Health and Human Services (HHS) and the U.S. Department of Justice (DOJ) announced 12/2/2020 that they had reached a landmark agreement with the Massachusetts. The agreement resolved findings by HHS and DOJ that Massachusetts discriminated against a parent with a developmental disability in violation of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. This is the third agreement that HHS's Office for Civil Rights (OCR) has reached with state child welfare entities to safeguard the rights of parents with intellectual disabilities, following agreements with Georgia and Oregon. Washington's State Legislature needs to issue further guidance for CPS and DDA to work together to assure that babies are not taken from their parents by providing DDA supports for parents with IDD. Don't wait for a lawsuit to resolve this discriminatory finding.

For more information:

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